IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 16086 of 2004

Between:

T.Suguna, W/o.Venkatratnam, Fair Price Shop Dealer,
Panduvanagulavaram village, Veligandla Mandal, Prakasam Dist.

..... PETITIONER

AND

1 The District Collector (Civil Supplies) Prakasam Dist.
2 The Joint Collector, (Civil Supplies), Prakasam Dist.
3 The R.D.O.,Kandukuru, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ preferably in the nature of writ of mandamus declaring the proceedings Rc.No.F/1370/2004, dt.09-07-2004 issued by the 3rd respondent and consequential order dt.25-08-2004 in D.Dis/2430/2004 passed by 2nd respondent by dismissing the appeal, and in action of the 1st respondent in not disposing the stay petition filed along with the Revision petition as illegal, arbitrary and unconstitutional.

Counsel for the Petitioner: MR.I.KOTI REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.16086 OF 2004

ORDER:

Petitioner is an authorized dealer of Fair Price Shop of Panduvanagulavaram Village, Veligandla Mandal, Prakasam District. The petitioner's authorization was suspended by the Revenue Divisional Officer by his proceedings dated 09-07-2004, pending enquiry into the alleged irregularities in distribution of the essential commodities. Against the said order, the petitioner preferred an appeal before the second respondent-Joint Collector, Prakasam District, which was disposed of by an order dated 25-08-2004 directing the Revenue Divisional Officer to dispose of the enquiry within a period of two weeks. The petitioner states that against the said order, she preferred a revision petition before the District Collector, Prakasam District on 30-08-2004 along with an application for stay. Now this writ petition is filed seeking a declaration that the order of the Revenue Divisional Officer dated 09-07-2004 as well as the orders of the Joint Collector, dated 25-08-2004, as arbitrary and illegal.

2. Admittedly, against the order of the Joint Collector, the petitioner has already preferred a revision petition dated 30-08-2004 along with an application for stay, which is pending before the District Collector.

3 . Though the learned counsel for the petitioner raised various grounds contending that the orders impugned are arbitrary and illegal, since the revision petition filed by the petitioner is pending on the file of the District Collector, Prakasam District, I am not inclined to express any opinion on the merits.

4. In the circumstances, without expressing any opinion on merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the District Collector, Prakasam to dispose of the application for stay in the revision petition filed by the petitioner against the order dated 25-08-2004, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

5. With the above observations, the Writ Petition is disposed of. No costs.

MS.G.ROHINI, J

15th September, 2004

SKM

To

1 The District Collector (Civil Supplies) Prakasam Dist.
2 The Joint Collector, (Civil Supplies), Prakasam Dist.
3 The Revenue Divisional Officer, Kandukuru, Prakasam District.

4 Two C.Cs. to G.P. for Civil Supplies,

High Court Buildings,

High Court of A.P., Hyderabad, (OUT)

5 Two C.D. Copies.